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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|---------------|-------------|----------------------|---------------------|
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08/568,777 12/07/95 SMITH

R T1-22187

EXAMINER

B3M1/0123

ART UNIT, V PAPER NUMBER

Z

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DATE MAILED: 01/23/97

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on 12-7-95 This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

| | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. Claims 1-21 are pending in the application.
2. Claims _____ have been cancelled.
3. Claims _____ are allowed.
4. Claims 1-29 are rejected.
5. Claims _____ are objected to.
6. Claims _____ are subject to restriction or election requirement.
7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. Formal drawings are required in response to this Office action.
9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been approved by the examiner; disapproved by the examiner (see explanation).
11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).
12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.
13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. Other

EXAMINER'S ACTION

Art Unit: 2305

DETAILED ACTION

1. In general, the claims are directed towards a system comprised of a computer and a portable telephone wherein the computer utilizes the portable telephone to transmit and receive voice and data signals. It has been well known in the data communications art to use telephone land lines to communicate data via modems internal or external to the computer and the claims appears to be a logical extension of the use of telephone communication means to the more recent technology of portable or cellular phones.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2305

3. Claims 1-7, 12-14, 15-17 and 19-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Hop, U.S. Patent No. 4,912,756.

4. Regarding claims 1, 7, 12, 13, 14 and 29; Hop discloses a system using a personal computer to effectuate reliable data transmission over a cellular telephone system as illustrated in Figure 1. Element 19 is referred to as the mobile unit and is comprised of a portable PC (element 2), interface circuit (element 3, cellular connector (element 28) and CSE (Cellular subscriber equipment). Regarding claim 12; Hop shows a modem explicitly as element 24 in Figure 2.

5. Regarding claims 2, 3, 4, 5, 6; in the information processing and data communications arts, a computer inherently contains a data processor, memory or data and programs such as an operating system, input means (commonly a keyboard) and output means such as a display (LCD, monitor etc.). Hop does not explicitly show these features (except for the display in figure 2), nevertheless the features are inherent in Hop's disclosure.

Art Unit: 2305

6. Regarding claims 15-17,19-28; these claims refer to the leads or lines between the interface and the microprocessor. The claims refer to voice channel leads, command channel leads, and a ground lead. Claim 16,17 and 20 also refer to the facilitation of a bidirectional half duplex mode. Claims 23,25 and 27 also refer the facilitation of a unidirectional full duplex mode. Hop discloses the connection of the interface to the computer via the COM1 port in figure 2. COM1 is discloses as a conventional RS232 to which a bidirectional serial bus is connected (col. 4, line 36-39). The RS232(-C) industry standard calls for a 25 pin connector including 2 data/voice lines and a variety of control (command) lines which facilitate either bidirectional half-duplex mode or unidirectional full-duplex mode.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2305

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hop.

9. Claims 8,9,10,11 refer the positioning and securing of the portable telephone to a "cavity". Hop does not refer to a cavity or receptacle for the portable telephone in his disclosure, however Hop discloses, directly and indirectly, mobility and portability in his system. For example, he refers to "mobile unit" throughout his specification. The choice of how the portable telephone housing and computer/interface housing fit together is dependent upon a number of factors such as ease of use or access to telephone independently of the computer, intended dimension (e.g. to fit inside a standard sized briefcase, in an airplanes overhead bin, etc.) and the particular configuration of the components is a matter of which factor(s) are more important to the intended end-user.

Art Unit: 2305

10. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hop in view of Dent et al., U.S. Pat. No. 5,581,597. Claim 18 refers the interface as having a power lead. Hop does not disclose such a power lead however Dent discloses in col. 8, lines 52-57 the use of a cellular terminal(such as a cellular telephone) plugged into a personal computer. While the cellular terminal is "parked". (i.e. plugged in), it may be powered from a power supply through leads as shown in figure 3. It would have been obvious to one of ordinary skill in the art at the time the invention was made to made to provide power to the cellular telephone while in use to transmit or receive data for the computer to prevent depleting the cellular telephone's battery unnecessarily. Failure of the battery without an alternate power supply would cause interruption of the data transmission and reception via the cellular telephone.

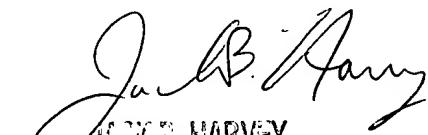
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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Valerie Darbe whose telephone number is (703) 305-9839.

12. The examiner can normally be reached on Monday-Thursday and alternate Fridays from 8:30 am to 6:00 pm.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Jack Harvey can be reached on (703) 305-9705. The fax phone number for this Art Unit is (703) 308-5358.

14. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.


JACK B. HARVEY
SUPERVISORY PATENT EXAMINER
GROUP 2300

VAD
January 15, 1997